IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 37335 of 2007(T)

OS.78/2007 of II ADDL.SUB COURT,KOZHIKODE

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PETITIONER:

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1. RAM GOPAL, AGED 42, S/O. LATE ACHUTHAN NAIR, THANNIYIL HOUSE, P.O.ERANJIPALAM, NADAKKAVU, KACHERI AMSOM DESOM, KOZHIKODE TALUK.

2. K.P.RAJALAKSHMI, AGED 71, W/O. LATE ACHUTHAN NAIR, THANNIYIL HOUSE, P.O.ERANJIPALAM, NADAKKAVU, KACHERI AMSOM DESOM, KOZHIKODE TALUK.

BY ADV. SRI.K.T.SHYAMKUMAR
SRI.HARISH R. MENON

RESPONDENTS:

M.MALATHI AMMA, AGED 87, W/O. LATE K.P.CHANDRASEKHARAN NAIR, MOORKANATTU HOUSE, KARUMATHARA AMSOM DESOM, P.O.KARUMATHARA, THALAPPILLY TALUK, THRISSUR DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON / / , THE COURT ON 17/12/2007 DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 37335 OF 2007

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Dated this the 17th day of December, 2007.

J U D G M E N T

This writ petition is filed to direct the 1st Addl. Subordinate Judge, Kozhikode to pass appropriate orders on I.A.4975/07 in O.S.78/07 and thereafter to include O.S.78/07 in the list. I had perused the affidavit as well as the draft list papers which shows the case does not figure in the list cases of December, 2007. Even otherwise, when an application is filed for sending the signature for expert opinion it is the primary duty of the Court to pass some orders on that application, give a breathing time for the party and thereafter include the matter in the list and dispose it of in accordance with law. Therefore, I direct the learned Subordinate Judge to consider and dispose of I.A.4975/07 at the earliest and after disposal give a breathing time to the parties, thereafter include the matter in the list and dispose it of in accordance with law.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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